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Attorney for Petitioner,
ALFRED LEE GRAYSON

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

ALFRED LEE GRAYSON,)	No. Civ. S-03-1694 MCE KJM
)	
Petitioner,)	STIPULATION AND PROPOSED
)	ORDER FOR BRIEFING SCHEDULE
v.)	AFTER REMAND BY THE NINTH
)	CIRCUIT
TOM L. CAREY, Warden,)	
)	
Respondent.)	
_____)	

This matter is in the District Court after remand from the Ninth Circuit. Pursuant to the remand order, the court is to consider the issue of procedural default, and if there is no procedural default, is to evaluate the confrontation clause claim pursuant to *Ohio v. Roberts*, 448 U.S. 56 (1980).

The parties hereby stipulate and agree that the court adopt the following briefing schedule concerning the procedural default issue and the application of *Ohio v. Roberts*: petitioner's points and authorities will be due **April 24, 2009**, respondent's points and authorities will be due **June 24, 2009**, and petitioner's reply will be due on **July 26, 2009**. Counsel for petitioner is beginning a lengthy trial, and needs time to review record materials and prepare on behalf of his client. Thus, it is anticipated that these dates will afford counsel time to adequately prepare.

1 DATED: January 6, 2009

s/ Tim Warriner, Attorney for Petitioner,
ALFRED LEE GRAYSON

3 DATED: January 6, 2009

s/ Janis McLean, Deputy Attorney General,
Attorney for Respondent

5 ORDER

6 GOOD CAUSE APPEARING, and pursuant to the stipulation of the parties, it is hereby
7 ordered that petitioner's points and authorities will be due April 24, 2009, respondent's points
8 and authorities will be due June 24, 2009, and petitioner's reply will be due on July 26, 2009.

9 DATED: January 16, 2009.

10 
11 U.S. MAGISTRATE JUDGE